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November 15, 2023

***Via CM/ECF***

Jarrett B. Perlow, Clerk of Court  
United States Court of Appeals for the Federal Circuit  
717 Madison Place, NW  
Washington, DC 20439

Re: *Google LLC v. Sonos, Inc.*, No. 24-1097

Dear Mr. Perlow:

I represent Defendant-Appellant Sonos, Inc. in the above-named appeal. Per the Federal Circuit Practice Notes to Federal Rule of Appellate Procedure 4, I write to inform the Court that, on November 7, 2023, Plaintiff-Appellee Google LLC filed a motion to amend the judgment pursuant to Federal Rule of Civil Procedure 59. On November 14, 2023, the district court granted Google's motion and entered an amended final judgment. The amended final judgment, which the district court entered in both consolidated cases below, is attached to this letter as Exhibit A. In an abundance of caution, Sonos filed an amended notice of appeal in the district court, which is attached here as Exhibit B.

Respectfully submitted,

A handwritten signature in blue ink, appearing to read "Joshua Rosenkranz", written over a horizontal line.

E. Joshua Rosenkranz

cc: Counsel of record (via CM/ECF)

# Exhibit A

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UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION

SONOS, INC.,  
  
Plaintiff,  
  
vs.  
  
GOOGLE LLC,  
  
Defendant.

Case No. 3:20-cv-06754-WHA  
Consolidated with Case No. 3:21-cv-07559-  
WHA

**~~[PROPOSED]~~ AMENDED FINAL  
JUDGMENT**

1 Consistent with Google's unopposed motion to amend the judgment, previous rulings by the  
2 court, and agreements by the parties, the Court amends and supplements its judgment in these  
3 consolidated actions as follows:

4 1. Sonos's claims of infringement of U.S. Patent No. 9,344,206 were dismissed with  
5 prejudice. *Sonos, Inc. v. Google LLC*, No. 3:21-cv-07559-WHA ("Transferred Action"), Dkt. 151;  
6 *Sonos, Inc. v. Google LLC*, No. 3:20-cv-06754-WHA ("California Action"), Dkt. 132.

7 2. Sonos's claims of infringement of U.S. Patent No. 9,219,460 were dismissed without  
8 prejudice. *See* Transferred Action, Dkts. 50, 51.

9 3. Judgment is entered for Google and against Sonos that claim 13 of U.S. Patent No.  
10 9,967,615 is not infringed and is invalid. *See* California Action, Dkts. 316, 566.

11 4. Judgment is entered for Google and against Sonos that claims 1, 2, 4, 9, 11, 12, 13,  
12 and 16 of U.S. Patent No. 10,779,033 are invalid. *See* California Action, Dkt. 566.

13 5. Google's claims for breach of contract and conversion and requests for related relief  
14 are dismissed without prejudice. *See* California Action, Dkts. 552, 566 at 31.

15 6. Judgment is entered for Google and against Sonos that claims 1, 2, 4, 6, and 8 of U.S.  
16 Patent No. 10,469,966 are invalid and the '966 patent is unenforceable. *See* California Action, Dkt.  
17 868.

18 7. Judgment is entered for Google and against Sonos that claim 1 of U.S. Patent No.  
19 10,848,885 is invalid and the '885 patent is unenforceable. *See* California Action, Dkt. 868.

20 Taxable costs will be addressed by separate order. Requests for attorneys' fees have been  
21 postponed by stipulation. *See* California Action, Dkt. 874. All other claims and requests for relief  
22 and any related defenses are denied as moot.

23 IT IS SO ORDERED.

24  
25 DATED: November 14, 2023.



26 The Honorable William Alsup  
27 United States District Court Judge  
28

# Exhibit B

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*Attorneys for Sonos, Inc.*

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION

SONOS, INC.,  
Plaintiff and Counter-defendant,  
v.  
GOOGLE LLC,  
Defendant and Counter-claimant.

Case No. 3:20-cv-06754-WHA  
Consolidated with  
Case No. 3:21-cv-07559-WHA

**SONOS, INC.'S AMENDED NOTICE  
OF APPEAL TO THE U.S. COURT OF  
APPEALS FOR THE FEDERAL  
CIRCUIT**

1 PLEASE TAKE NOTICE THAT Plaintiff and Counter-defendant Sonos, Inc. hereby  
2 appeals to the U.S. Court of Appeals for the Federal Circuit the Amended Final Judgment entered  
3 in this action on November 14, 2023 (Dkt. 880), and from any and all other judgments, orders,  
4 opinions, decisions, rulings, and findings, whether oral or written, that are subsidiary thereto,  
5 subsumed therein, or merged thereinto in this case, which includes Case No. C 20-06754 WHA  
6 and Case No. C 21-07559 WHA. This Amended Notice is timely under Federal Rule of Appellate  
7 Procedure 4(a)(1)(A) because it was filed within 30 days from the entry of the Amended Final  
8 Judgment.

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11 Dated: November 15, 2023

ORRICK HERRINGTON & SUTCLIFFE LLP  
and  
LEE SULLIVAN SHEA & SMITH LLP

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14 By: /s/ Clement S. Roberts  
Clement S. Roberts

15 *Attorneys for Sonos, Inc.*  
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